



ATTORNEY DOCKET NO.: 043873-5005-02

Application No. 10/621,454

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## **REMARKS**

### **Summary of the Office Action**

Claims 32-36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 32-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. U.S. Patent No. 4,889,366 to Fabbiani ("Fabbiani") combined with U.S. Patent No. 5,843,598 to Ueda et al. ("Ueda '598"), in view of Sudo et al. '581 and Khait '760.

Claims 32-43 are rejected on the grounds of nonstatutory double patenting over claims 1-30 of U.S. Patent No. 6,613,481.

### **Summary of the Response to the Office Action**

Applicant has amended claim 32 to provide antecedent basis for the term "the reflective element" and also to indicate that the reflective element is part of the master hologram plate and that the sub-hologram is in a different area of the hologram recording film than the main-hologram.

Applicant is also concurrently filing a terminal disclaimer to overcome the double patenting rejection of claims 32-43.

**All Claims Define Allowable Subject Matter**

Claims 32-36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 32 to provide antecedent basis for the term "the reflective element" and also to indicate that the reflective element is part of the master hologram plate and that the sub-hologram is in a different area of the hologram recording film than the main-hologram. Accordingly, Applicant respectfully submits that the rejection of claim 32 and its dependent claims 33-36 has been overcome.

Claims 32-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. U.S. Patent No. 4,889,366 to Fabbiani ("Fabbiani") combined with U.S. Patent No. 5,843,598 to Ueda et al. ("Ueda '598"), in view of Sudo et al. '581 and Khait '760. The Examiner indicated that the claims would be placed in condition for allowance if the claims indicated that the reflective element was part of the master hologram and that the sub-hologram was in a different area of the recording film than the main-hologram. Claim 32 is amended to include the recommended limitations.

Claims 32-43 are rejected on the grounds of nonstatutory double patenting over claims 1-30 of U.S. Patent No. 6,613,481. A terminal disclaimer is being filed concurrently with this Amendment to overcome the rejection.

In view of the foregoing, Applicant respectfully submits that claims 32-43 are in condition for allowance.

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Date: November 2, 2006

By:



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